

WAYS AND MEANS

COMMITTEE

of the

SUFFOLK COUNTY LEGISLATURE

Minutes

A regular meeting of the Ways and Means Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, on **Thursday, May 12, 2005**.

MEMBERS PRESENT:

Legislator Peter O'Leary • Chairman

Legislator John Kennedy • Vice•Chairman

Legislator Daniel Losquadro

Legislator Ricardo Montano

Legislator Elie Mystal

ALSO IN ATTENDANCE:

Mea Knapp • Counsel to the Legislature

Jim Spero • Director, Budget Review Office

Charles Gardner • Director of Consumer Affairs

Ilona Julius • Clerk's Office

Ben Zwirn • County Executive's Office

Bill Faulk • Aide to Presiding Officer

Warren Greene • Aide to Legislator Alden

Ed Hogan • Aide to Legislator Nowick

Frank Tassone • Aide to Majority Leader O'Leary

Janet Longo • Real Estate Division

Jacqueline Caputi • County Attorney

Maria Ammirati • Aide to Chairman O'Leary

Richard LaValle • Deputy Commissioner • DPW

Raymond Gontansz • Information Services

All other interested parties

MINUTES TAKEN BY:

(*THE MEETING WAS CALLED TO ORDER AT 9:49 A.M.*)

CHAIRMAN O'LEARY:

Good morning, all. I'm going to call the meeting to order. I take note of the fact that it's about 9:45. We will start the meeting with the Pledge of Allegiance led by Legislator Montano.

SALUTATION

I don't have any cards before me. Is there anyone who wishes to speak before the committee on any issues? Chief Webber, you are here for an issue that's on this agenda?

CHIEF WEBBER:

Yes, I am.

CHAIRMAN O'LEARY:

Would you want to wait until the matter comes up before the committee to speak on it?

CHIEF WEBBER:

Can we address it now?

CHAIRMAN O'LEARY:

Yeah. Why don't you come up and address what it is you want to speak on? Good morning. Identify yourself for the record and make mention of the resolution you wish to speak on.

CHIEF WEBBER:

It's Chief Edward Webber, Chief of Patrol, Suffolk County Police Department. And the Introductory Resolution we're to speak about was 1349 introduced by Legislator Binder.

CHAIRMAN O'LEARY:

1349 for the record is directing the Director of Real Estate to locate property for a police substation in Huntington Village.

CHIEF WEBBER:

It's the Police Department's position at this point that we have near the financial nor personnel resources at this time to staff such a substation, which we now call field offices. Again, I'm here more to answer any questions you may have related to same. The Commissioner asked that we come forward and set forth the department's position.

CHAIRMAN O'LEARY:

We are going to be tabling this motion today, because the sponsor of the resolution has amended it, and we haven't had an opportunity to review it. I was just informed by Counsel this resolution has been amended. Can you comment on the amendment?

MS. KNAPP:

It was amended in a timely fashion, so if you wish to act you could today.

CHAIRMAN O'LEARY:

Is the amended copy before us?

MS. KNAPP:

It was filed •• it was filed in a timely manner, and I believe faxed to all Legislators as the Clerk does invariably. The title has been changed. It no longer refers to a substation, instead it refers to a department field office. The whereases have been changed substantially. In recognition, the Legislator did some research and apparently found that •• that there was a field office in Huntington Village from 1996 through 2001. And he has also amended it to change the resolves instead of establishing a substation to reestablish the field office that was previously there. That's the major part of the change.

CHAIRMAN O'LEARY:

Legislator Montano.

LEG. MONTANO:

Good morning, gentlemen. Is there a substation in Huntington Village or Huntington Station at the moment?

CHIEF WEBBER:

There's currently one in Huntington Station, but not in the Village.

LEG. MONTANO:

Well, how far is the Station from the Village?

CHIEF WEBBER:

It's a couple miles south of where the prior substation was. I might add that the reason the other substation was put in place was for reconstruction or renovation of the Second Precinct at the time, and the department in an effort to work as closely as possible with the constituents in the area, we did open a substation to help during the several year period that the precinct was relocated within the boundaries of the First Precinct. That was the reason why the initial substation at 13 •• excuse me, 386 New York Avenue was established.

LEG. MONTANO:

So the precinct has been renovated?

CHIEF WEBBER:

Yes. Several years ago. We're back to Park Avenue.

LEG. MONTANO:

Did that obviate the need for a substation?

CHIEF WEBBER:

That was the reason it was established, because we were moving from the location on Park Avenue into the First Precinct boundary lines.

LEG. MONTANO:

So you really don't need the substation is what you are saying?

CHIEF WEBBER:

We don't believe so.

LEG. MONTANO:

Is the substation still in existence?

CHIEF WEBBER:

This one, no. This one's been closed. It's been closed, I believe, since 2/02.

LEG. MONTANO:

Not the one we're talking about here in the Village.

CHIEF WEBBER:

The other one is still operational.

LEG. MONTANO:

And this would add ••

CHIEF WEBBER:

Yet another one.

LEG. MONTANO:

No longer a substation, but a field office?

CHIEF WEBBER:

Yes.

LEG. MONTANO:

And all three would be in the same precinct?

CHIEF WEBBER:

Well, we only have one now at Pulaski Road.

LEG. MONTANO:

You have the precinct, you have the substation, and you would have the field office, and that's all within the Second Precinct?

CHIEF WEBBER:

Yes.

LEG. MONTANO:

Jurisdiction, right?

CHIEF WEBBER:

Yes, sir.

LEG. MONTANO:

All right. Thank you.

CHAIRMAN O'LEARY:

Legislator Mystal.

LEG. MYSTAL:

Unfortunately, there is a proliferation of substations. I mean, anybody who's a Legislator would want a substation in their district. This started, and I have to say, it started in my district somehow back in the early 80s, and it's getting out of hand, because everybody wants a substation in their district. And if we continue that, what we will have is we will have three or four substation within each police district that we have, which would increase costs and staffing problems. Everybody wants more police patrol in their district. I mean, if I had my way, I would have a foot patrolmen on every block in my district, but I can't have it, because I don't want to pay for it. So what you are saying to us is that this is redundancy, and it doesn't do any great deal of crime prevention, because you have staffing problem with it, it cost more money with very well return. Why are we having it? You are recommended we don't have it, is that what you're saying, the Police Department, you ••

CHIEF WEBBER:

Yes.

LEG. MYSTAL:

•• are, you know, saying no?

CHIEF WEBBER:

That's correct.

LEG. MYSTAL:

Thank you.

CHAIRMAN O'LEARY:

All right. Just a follow up on that •• the comments of Legislator Mystal. What is not being taken into consideration, and I don't know what the situation is with respect to Huntington Village, but in other areas where there are substations and field offices, there was a very strong feedback or input from the community that this is what they wanted. And I believe that part of the Police Department's responsibilities is to be responsive to the community that they service. And if the community so strongly supports what they perceive more of a police presence in a locale within their community, within their neighborhoods, I think we have to look at that and consider it.

I can fully understand the position of the department with respect to the staffing problems that

they claim they have, personnel storages, etcetera. But the Commissioner has gone on record, not once, but several times •• excuse me. The Commissioner has gone on record not once, but several times with respect to giving the authority of the Precinct Commanders to run their precinct as they see fit. And if Precinct Commanders are of the mindset to man with personnel when available these various field offices and substations, I don't see a problem with it. If you leave the discretion up to the Police Commander who has, by the way, the pulse of the community and their needs to man such a substation or field office, I think that should have some priority with the Police Department as well.

Legislator Binder in his proposal here clearly has not indicated whether or not the community is in support of this particular resolution. As I said before, for that reason, I would like to table this to have more input from the community to get their feedback to us as we have with other initiatives that have come before this body, this committee and the full body with respect to substations and field offices. Again, my priorities are with the communities that the police represent, not the personnel that the police have to deploy. Legislator Montano.

LEG. MONTANO:

It's my understanding that this Huntington Village is not in Legislator Binder's Legislative District, is that accurate?

LEG. MYSTAL:

That's accurate.

LEG. MONTANO:

Number two, do you have any idea or has anyone done a study as to how much this field office is going to cost in terms of how it's going to be operated or are we going to have a lease with someone •• do you know what arrangements, if any, or proposals are out there, you know, cost based system both in manpower and in terms of dollars?

CHIEF WEBBER:

No. That's not addressed in the resolution.

LEG. MONTANO:

Does anyone in your department have any idea as •• that you know of with respect to whether or not there's been some preliminary figures or some recommendations made as to where it would be located, how much it would cost, when it would be staffed, etcetera?

CHIEF WEBBER:

To my knowledge, there's been no direct correspondence with the department with such figures or calculations.

LEG. MONTANO:

Thank you.

LEG. MYSTAL:

Mr. Chair.

CHAIRMAN O'LEARY:

Legislator Mystal.

LEG. MYSTAL:

Just to clarify a couple of points. Number one, there's no such thing as Huntington Village. There's no such thing.

LEG. MONTANO:

You mean politically or geographically?

LEG. MYSTAL:

Geographically, there's no such thing as Huntington Village. There's no Huntington Village.

CHAIRMAN O'LEARY:

There's no Incorporated Village in the Town of Huntington, is that what you're saying?

LEG. MYSTAL:

Yes.

CHAIRMAN O'LEARY:

Called Huntington Village?

LEG. MYSTAL:

Just because they want to distinguish them self from the downtown area from, they want to distinguish them self from Huntington Station, Huntington Bay, whatever. So there's no such political or geographical designation, number one.

Number two think, in terms of what Legislator O'Leary said in terms of the community's need or the community's want, my community, my district, I could have a substation in five different localities, because they all have asked for it. I could have one in Wyandanch, one in Copiague, one in North Lindenhurst, because they all have asked me for more police presence in their community. So if I were to •• of course, I listen to the residents of my community, I listen to them very closely, but I also know they don't want to pay for it. They may want to •• they want it, if they could have it and it doesn't cost them anything. But unfortunately, the riding factor in anything we do in Suffolk County is always the same thing; taxes, money.

If I were to go out there and say, okay, I will put a foot patrol on every street, they'll say, yeah I want it. But if I say it's going to cost you an additional thousand dollars a month for each house, they say, oh, no, I don't want it that way. And the problem is management of money and personnel in the Police Department. Yeah, of course, Wyandanch wants one, because North Amityville has a substation. Does Wyandanch deserve less than North Amityville? Well, they have more crime in Wyandanch, they deserve it probably more than North Amityville. But they don't get one because we don't have the money. Do I need one in Copiague? Yes, I do. Do I need one in North Lindenhurst? Of course I do. North Babylon? Heck yeah. Are you going to

give it to me? No. So that's to me is the balance of trying to listen to the concern of the citizen and also managing the tax money they are paying. Thank you.

CHAIRMAN O'LEARY:

I appreciate those comments, Legislator Mystal, but one of the considerations that are taken with respect to finding a location for these various substations and field offices is their distance, their lack of proximity to the existing precinct. When you have a situation like you have in the First Precinct where there's extreme density in that particular area, the communities that you make mention of are in close proximity certainly within a couple of miles or so to the precinct itself.

That's not the situation with some of the other substations and field offices that are located throughout the County. One of the priorities given with respect to doing something like this is the lack of proximity of the residents to their local precinct. So I can understand the •• your need and desire of your various communities within the First Precinct area to have their individual substations and field offices, but you must take into account that those communities are also within close proximity, certainly within a couple of miles from the First Precinct itself. Legislator Montano.

LEG. MONTANO:

Isn't it the case •• and I'm not that familiar with Huntington, but isn't it the case that the Second Precinct is in close proximity to where this field office or substation would be located? I mean, we're not talking about an area that's large geographically that would compel the need for a substation, am I accurate on that?

CHAIRMAN O'LEARY:

What would be the distance, the approximate distance between the existing Second Precinct and Main Street, Huntington Village?

CHIEF WEBBER:

Probably about five miles.

CHAIRMAN O'LEARY:

Five miles. Okay.

MS. CAPUTI:

Legislator O'Leary, I just wanted to make a brief comment. As long as you are going to table it, the Law Department ••

CHAIRMAN O'LEARY:

Well, we have no choice at this point, because if you see the balance on the committee here, it's certainly not going to pass.

MS. CAPUTI:

But it also should be going through Space Management •• the Space Management Steering Committee. And the fact that Legislator Binder revised the resolution, he still hasn't addressed that aspect of it. He's calling something different now, but any request for space should be going

through the Space Management Committee, which might, you know, take up some of the these issues and the need for it and that kind of thing. So we'd ask you to consider that.

CHAIRMAN O'LEARY:

I think •• I think just by virtue of the language of the resolution, directing the Director of Real Estate to locate the property, would have to go through Space Management anyway at some point in time, because I •• as you well know, I submitted a similar type resolution that did go through Space Management and was addressed by them. And the pros and the cons of that particular field office, if you will, was discussed at length both in Public Safety and in Space Management and continues to this day to be discussed. So I fully understand the position of Commissioner with respect to this particular initiative on the part of Legislators to address the concerns of the communities they represent. Any other questions on this matter? Thank you very much, gentlemen.

CHIEF WEBBER:

Thank you, Legislator O'Leary.

CHAIRMAN O'LEARY:

Is there any other comments to be made on any particular resolutions on the agenda today before we get to the public hearing portion?

LEG. MYSTAL:

I wanted to ask •• I will wait.

CHAIRMAN O'LEARY:

We do have on the agenda a public hearing. **Introductory Resolution 1418, (a Local Law to expand the Local Preference Law to promote regional businesses).** Are all the affidavits of publication in order?

MS. JULIUS:

Yes, Mr. Chairman. They were duly filed and are in proper order.

CHAIRMAN O'LEARY:

Thank you very much. Is there anyone here to speak on Resolution 1418?

MR. ZWIRN:

Mr. Chair, I have a few brief comments. I have ••

CHAIRMAN O'LEARY:

Are you speaking on the public hearing portion?

MR. ZWIRN:

Yeah, I'll speak on the public hearing portion just because it will carry over and we might as well get it out of the way. I've spoken with Legislator Binder on this and with Charlie Bartha, who's the Commissioner of Public Works, and we're working together trying to find a workable solution to the goal that Legislator Binder has. My understanding from that is that he would move to recess the hearing and asked for the hearing to be recessed and to table the bill so that we can still talk about it and try to revise it.

CHAIRMAN O'LEARY:

Okay. Any comments from members of the committee?

LEG. MONTANO:

Yes.

CHAIRMAN O'LEARY:

Legislator Montano.

LEG. MONTANO:

Good morning. I'd like to just •• when you look at the revisions, since we're talking about local preference, I also would like you to consider and look at the issue of MBEs and WBEs, because I think if we're going to do a law that deals with preference at any level, we should be talking about minority owned businesses and women owned businesses in terms of what would be available within the County to help some of the businesses and minority businesses and the women owned businesses here in Suffolk County. In fact, I think we will be proposing legislation

along those lines.

CHAIRMAN O'LEARY:

Just to speak to some of the provisions in the proposal, as I understand it, it's an attempt on the part of Legislator Binder to get more local entities involved in the process of their businesses being included in Suffolk County activities and initiatives. And with respect to RFPs submitted or any contracts that would be entered into, the way I'm reading this is that •• is that the lowest responsible bidder, the business from Nassau or Suffolk cannot exceed 15% or more than the lowest, but they have to stipulate that 75% of their supplies would come from local suppliers. That's my understanding of the intent of this particular bill.

MR. ZWIRN:

Yes. That's our understanding as well. And there are enforcement provisions that are hard. How do you •• we tried to figure how do you verify that the stipulation is accurate so you don't punish an honest vendor who's saying that I'm not getting all my supplies from Nassau•Suffolk County versus an unscrupulous vendor who all he has to do is stipulate to that fact. And the only penalty if it's found out otherwise is that they would be restricted to getting the funds from the lowest responsible bidder's bid and nothing else. I mean, the sponsor understands that it needs some fine tuning, and we have agreed to try to work with him to try to understand the goal, to try to help local businesses and give local preference, which is certainly supportable in a way that we'll make sure it's fair.

CHAIRMAN O'LEARY:

And I for one would like to hear the comments of local businesses with respect to their position on this particular proposal. Is there anyone else wishes to speak on this? Legislator Losquadro.

LEG. LOSQUADRO:

Thank you. Mr., Zwirn, by the way, I do agree with a level of local preference, but at the same time, I'm sure there are many local businesses that are using products that are not manufactured on Long Island that are large distributors for those products. How would they be impacted? I think there are a number •• there are certainly a number of questions I have with this bill, and I would like to see them be vetted out to a much higher degree. So i'm glad to see everyone's on the same page with this.

MR. ZWIRN:

We agree wholeheartedly with your comments, and that's one of the reasons why we asked the sponsor to come in and chat. But those things you raised today are issues that have to be addressed.

LEG. LOSQUADRO:

Certainly the supply and demand model has lead to the competition that we see in a free market economy, you get the best product for the lowest price, and I agree with a level of local preference, but I do not want to see that model upset too much, because we are after all in the business of getting that best product for the best price and keeping our tax dollar expenditures to a minimum.

MR. ZWIRN:

You're absolutely correct, because the other side is that you have taxpayers who could be paying as much as 15% more on a project, and some of the projects you're talking about, like the jail project, some huge projects, add 15%, the numbers could be astronomical. But everything that

Legislator Losquadro has said today is absolutely on target, and we're on the same page.

LEG. LOSQUADRO:

Very good, sir.

CHAIRMAN O'LEARY:

I'm so happy to here that we're same page on some issues.

MR. ZWIRN:

Has to happen. You can't lose them all.

CHAIRMAN O'LEARY:

Are there any other persons in attendance who wish to comment on the publish hearing portion of this resolution? Okay. Hearing none, I'll entertain a motion to recess the public hearing. Motion by myself to recess, seconded by Legislator Losquadro. On the question of the motion to recess? Hearing none, all those in favor? Opposed? Abstain? Unanimous, 4•0. Can you imagine? We have unanimity here. **RECESSED. (VOTE:5•0•0•0*)**

Okay. Let's go to tabled resolutions. I understand that the County Attorney's Office wishes to speak on two separate resolutions. Do you care to wait until they are before us, or do you wish to speak on them now?

MS. CAPUTI:

I already spoke on one, the police substation. And the other one, I can wait until you are ready to consider it. I did actually get indication yesterday from Legislator Alden.

CHAIRMAN O'LEARY:

Which resolution are you speaking of, Jackie?

MS. CAPUTI:

1353.

CHAIRMAN O'LEARY:

1353.

MS. CAPUTI:

Yeah. He indicated he may be tabling it, and if that's the case, then we'll just •• I think he may •• we sent him correspondence.

CHAIRMAN O'LEARY:

We don't have 1353 on our agenda.

MS. CAPUTI:

1357, I'm sorry. 1357.

CHAIRMAN O'LEARY:

Okay. There has been some correspondence sent to members of the committee, I believe, from EMHP, the representatives of EMHP with respect to some of the concerns they have as well as some correspondence from AME with respect to this particular bill. And I think •• not I think, I know that the sponsor is of the mindset to ask for this matter to be tabled until such time as we can discuss further their concerns.

MS. CAPUTI:

All right. Then I won't even be speaking on that.

CHAIRMAN O'LEARY:

Well, that's good. You're not going to be speaking again for the rest of the day?

MS. CAPUTI:

I hope not.

CHAIRMAN O'LEARY:

Unless something comes up during discussion.

MS. CAPUTI:

Thank you very much.

CHAIRMAN O'LEARY:

You're very welcome. Legislator Mystal.

LEG. MYSTAL:

Jackie, before you go, since you are not going to speak again ••

MS. CAPUTI:

Don't hold me to that.

LEG. MYSTAL:

Okay. 1435, this is also identity theft, isn't it?

CHAIRMAN O'LEARY:

Yes, it is. 1435, the last matter on the agenda.

LEG. MYSTAL:

Do you have any feelings about that?

MS. CAPUTI:

There are several identity theft resolutions, which one is that exactly? What do the provisions say?

LEG. MYSTAL:

1435.

CHAIRMAN O'LEARY:

I just want to take note of the fact, Jackie, that you sent a memo with respect to the concerns of the County Attorney's Office with respect to resolution addressing this issue of identity theft. You did not mention 1435 in your memo.

MS. CAPUTI:

I'm trying to remember which one it is. I know there's the ballfield one, the EMHP and the other one is •• oh, I know.

CHAIRMAN O'LEARY:

Social Security?

MS. CAPUTI:

Yes. There's no true legal issues on that, but we did look at it in a broader perspective in that there was a report issued, I think it was a year ago, by Information Services in the Civil Service Department. And I don't know whether that's really been analyzed and digested by the Legislature yet. And also it did •• I reviewed the report myself. It did indicate that there would be quite a bit of cost associated with doing that. But we felt that that really wasn't a legal issue, so we didn't •• you know, we didn't go further with that to ask to speak on it, but we did look at that.

LEG. MYSTAL:

No. My problem is that in reading the resolution, I don't see any children mentioned whatsoever in there.

MS. CAPUTI:

The title does seem to be incorrect.

LEG. MYSTAL:

The title says something about children.

MS. CAPUTI:

I think it was probably for the other one.

LEG. MYSTAL:

It looks like Suffolk County employees.

MS. CAPUTI:

I think the title probably belongs with the ones that were on yesterday's agenda, 1433, 32 and 34. I think probably it was just a mistake.

LEG. LOSQUADRO:

Through the Chair.

CHAIRMAN O'LEARY:

Through the Chair, Legislator Losquadro.

LEG. LOSQUADRO:

I cannot speak for the sponsor, but I believe this was precipitated by the Little Leagues maintaining to rosters; is that correct? I believe that's what precipitated this, so that may be why it was included in the title.

CHAIRMAN O'LEARY:

If you know, Jackie, what was the status, the outcome, of the resolutions that you made mention of in your memo in yesterday's committees?

MS. CAPUTI:

The ballfields, I believe, were approved.

CHAIRMAN O'LEARY:

They were?

MS. CAPUTI:

Yeah, I think they were. There was some talk of tabling them, but I believe they were ultimately approved.

CHAIRMAN O'LEARY:

Mr. Zwirn.

MR. ZWIRN:

I think at the General Meeting, I'll talk again about those bills that were passed with respect to the ballfields, because there's a question of control over it, and it's a good-faith debate that we'll hopefully have before the entire Legislature on Tuesday. But again, you know, I hate •• they're going to be talking about •• Legislator Losquadro and myself •• he is right, that's what •• we believe the same thing, it was precipitated by the other bills, and this one is just mis •• the title is just misleading, because it looks like it's geared toward children, and this one is geared more toward employees and having the County Commissioners taking an overview look at how they gather information and to make sure that it's protected from public view.

CHAIRMAN O'LEARY:

I'm just informed by Counsel that there's no mention of County employees in this, it's County residents. All right. Any other?

MS. CAPUTI:

That's it. Thank you.

CHAIRMAN O'LEARY:

Thank you. If there's no one else who wishes to come before the committee to comment on any of the resolutions before us on the agenda, I'll start with the agenda. No one else? Okay. Let's start with the Tabled Resolutions. **2085, Adopting Local law No. • 2004, a Charter Law to transfer print shop from County Department of Human Resources, Civil Service and Personnel to County Department of Public Works. (COUNTY EXEC)**

I'll make a motion to table, seconded by Legislator Losquadro. On the question of the motion?
Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**

1004•05. Amending the 2005 operating Budget to centralize building security within the Suffolk County Department of Public Works in conformity with the new Title Examiners Policy at the County Clerk's Office. (COUNTY EXEC).

I'll make a motion to table, seconded by Legislator Losquadro. On the question of the motion?
Hearing none, all those in favor? Opposed? Abstain? **Tabled. (VOTE:5•0•0•0*)**

1040•05. Adopting Local law No. • 2005, a Charter Law amending the Suffolk County Charter to require the adoption of a reapportionment plan in a timely manner. (MONTANO)

LEG. MONTANO:

Motion to approve.

CHAIRMAN O'LEARY:

There is a motion to approve, second by Legislator Mystal. Motion to table by Legislator Losquadro, which takes precedence, seconded by myself. I don't think you want to run the risk of ••

LEG. MONTANO:

I withdraw the motion.

CHAIRMAN O'LEARY:

I'll tell you what. If I entertain a motion to approve and it's 2•2, it's defeated.

LEG. MONTANO:

I'll withdraw the motion to approve.

CHAIRMAN O'LEARY:

All right. Thank you. There's a motion to table by Legislator Losquadro, seconded by myself. On the question of the motion to table 1040? Hearing none, all those in favor? Opposed? Abstain?

TABLED. (VOTE:5•0•0•0*)

1104•05. Requiring annual reporting of contract agency finances. (CARACCIOLO)

I have had some discussion with the sponsor of this, and I'm asking him to consider increasing the amount from 25,000 as listed in the res to 100,000. And until such time as I hear back from him on his intent with respect to that request, I'm going to •• okay. Motion to table by

Legislator Losquadro, seconded by myself. On the question of the motion to table 1104? Hearing none, all those in favor? Opposed? Abstain? **Tabled. (VOTE:5•0•0•0*)**

1108•05. Adopting Local Law No. • 2005, a Local Law to extend and further strengthen the reporting for the Anti•Nepotism Statute. (CARACCIOLO)

Public hearing was closed on March 15th. Motion to table by myself, seconded by Legislator Losquadro. On the question of the motion to table? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**

1184•05. Adopting Local Law No. • 2005, a Charter Law creating Article XLII County Department of Environment and Energy. (COUNTY EXEC)

Motion to table •• public hearing was closed 4/05. Motion to table by myself, seconded by Legislator Mystal. On the question of the motion to table? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**

1283•05. Adopting Local Law No. • 2005, a Local Law amending Article II of the Suffolk County Administrative Code to provide for a two year term of the Presiding Officer. (ALDEN)

CHAIRMAN O'LEARY:

Public hearing was closed 3/21. There's a motion to table by Legislator Mystal, seconded by

myself. On the question of the motion? I must tell you that we have had some consideration with the sponsor with respect to one provision in there that basically has a provision which authorizes the removal of a PO and a Deputy PO with a two-thirds vote any time after the initial Organizational Meeting places the PO and the Deputy PO into office. We are having discussions with the sponsor of this resolution with respect to that particular provision. And so for that reason, we are going to continue the tabled status of 1283. So moving the motion to table, any other question? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**

1326•05. Adopting Local Law No. • 2005, a Local Law amending Local Law 47•2004 to exempt certain press organizations from the subscription fee schedule for the County Clerk's Online Records System. (SCHNEIDERMAN)

I'll make a motion to table. I'd like to make a motion to table subject to call on this, seconded by Legislator Losquadro. Is there any question on the motion to table subject to call on 1326? It should be renamed pandering to the media. There's a second by Legislator Montano to table subject to call. To rename it. On the question of the motion to table subject to call? Hearing none, all those in favor? Opposed? Abstentions? 1326 is **tabled subject to call. (VOTE:5•0•0•0*)**

Okay. We'll go to the Introductory Resolutions. Anyone from Real Estate here to come up so we can move along with these?

MS. LONGO:

Sure.

CHAIRMAN O'LEARY:

It's easier if you're up here. **1338, authorizing certain technical correction to Adopted Resolution No. 1246•2004. (COUNTY EXEC).** This has to do with Capital Program Project numbers, changing the various numbers. There's a motion to approve by myself, second by Legislator Montano. On the question of the motion? All in favor? Opposed? Abstain? Motion is unanimous. And also to place on Consent Calender. 1338 is **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1344, authorizing certain technical correction to Adopted Resolution No. 1321•2004. (COUNTY EXEC).

CHAIRMAN O'LEARY:

Same motion, same second, to place on the Consent Calender as well. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? 1344 is **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)** .

1346, authorizing certain technical correction to Adopted Resolution No. 1156•2004. (COUNTY EXEC).

CHAIRMAN O'LEARY:

Same motion, same second to place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? 1346 is **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1348, authorizing certain technical correction to Adopted Resolution No. 1020•2004. (MYSTAL).

CHAIRMAN O'LEARY:

Same motion, same second to place on the Consent Calender. On the question of the motion?
Legislator Mystal, you have a question?

LEG. MYSTAL:

No.

CHAIRMAN O'LEARY:

Okay. All those in favor? Opposed? Abstentions? 1348 is **APPROVED** and placed on the
CONSENT CALENDER. (VOTE:5•0•0•0*)

1349, directing the Director of the Division of Real Estate to locate property for a police substation in Huntington Village. (BINDER). To Counsel, is the amended copy before us to be read into the record?

MS. KNAPP:

The amended copy was filed in a timely manner with the Clerk, so therefore, it is legally before you in its amended form. It may not be physically before you.

CHAIRMAN O'LEARY:

How am I going to read it?

LEG. MYSTAL:

Motion to table.

CHAIRMAN O'LEARY:

Motion to table by Legislator Mystal, seconded by Legislator Montano. On the question of the motion to table? All in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**.

1351, A Local Law No. • 2005, a Charter Law establishing a reform policy to prevent the abuse of bulk mailings by any elected official. (COUNTY EXEC)

The public hearing for this is scheduled on may 17th at the General Meeting. I'll entertain a motion to table 1351 by myself, seconded by Legislator Losquadro. On the question of the motion to table 1351? Hearing none, all in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**.

1357, to protect Suffolk County employees from identity theft. (ALDEN)

Motion to table by myself, seconded by Legislator Losquadro. On the question of the motion to

table? Hearing none, all in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0*)**.

1370, Sale of County•owned real estate pursuant to Section 72•H of the General Municipal Law (Town of Brookhaven). (COUNTY EXEC)

CHAIRMAN O'LEARY:

This is •• can you explain this, please?

MS. LONGO:

It's for the Mastic Beach Fire Department.

CHAIRMAN O'LEARY:

Yes, I know that.

MS. LONGO:

Okay. It's for the Mastic Beach Fire Department's expansion of a garage to the Town of Brookhaven for \$24,971.

CHAIRMAN O'LEARY:

I make a motion to approve, seconded by Legislator Losquadro. On the question of the motion

to approve 1370? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1371, Sale of County•owned real estate pursuant to Section 72•H of the General Municipal Law (Town of Southampton). (COUNTY EXEC)

MS. LONGO:

That's a transfer to the town for open space preservation, \$1038.85.

CHAIRMAN O'LEARY:

Motion to approve by myself, seconded by Legislator Montano. On the question of the motion to approve and place on the Consent Calender? Hearing none, all in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1373, Sale of County•owned real estate pursuant to Section 72•H of the General Municipal Law (Town of Islip). (COUNTY EXEC)

MS. LONGO:

That's for a recharge basin, \$7700.89.

LEG. MONTANO:

With respect to the figures that you've indicating on these resolutions, the first one was 24, the second one was 1000, this one is 7000, what does that figure represent, is that an appraisal?

MS. LONGO:

That's an in-house appraisal.

LEG. MONTANO:

In-house appraisal. Thank you.

CHAIRMAN O'LEARY:

On 1373 there's a motion to approve by myself, seconded by Legislator Montano. On the question of the motion and to place on the Consent Calender? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**).

1396, Sale of County-owned real estate pursuant to Local Law 13•1976, Bilal Polson and Patrica Moxano•Polson, his wife. (COUNTY EXEC)

MS. LONGO:

That's sale to an adjoining owner for \$3000, the appraisal was also \$3000.

CHAIRMAN O'LEARY:

Motion to approve by myself, second by Legislator Losquadro and to place it on the Consent Calender. On the question of the motion to approve and place on the Consent Calender? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1397, Sale of County•owned real estate pursuant to Local Law 13•1976, Michael C. Rizzo and Dina Marie Rizzo, his wife. (COUNTY EXEC).

MS. LONGO:

Sale to adjoining owner for \$5000, the appraisal came in at 2500.

CHAIRMAN O'LEARY:

The appraisal was 25 and we sold it for?

MS. LONGO:

We sold it for 5000.

CHAIRMAN O'LEARY:

Motion to approve by myself, seconded by Legislator Montano. On the question of the motion to approve and place on the Consent Calender? Hearing none, all in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1398, authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Russel Steffens. (COUNTY EXEC)

MS. LONGO:

As•of•right redemption.

CHAIRMAN O'LEARY:

This is for some \$88,000? The Daughters of Wisdom are the •• this is as•of•right?

MS. LONGO:

As•of•right redemption.

CHAIRMAN O'LEARY:

It's 88,000, right? Okay. There's a motion to approve by myself, seconded by Legislator Losquadro and to place on the Consent Calender. On the question of the motion to approve and place on the Consent Calender? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1402, authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Intelcom, US Inc. (COUNTY EXEC)

MS. LONGO:

That's also an as•of•right redemption.

CHAIRMAN O'LEARY:

Eight thousand ninety•eight dollars.

MS. LONGO:

Eight thousand ninety•eight dollars.

CHAIRMAN O'LEARY:

Motion to approve by myself, second by Legislator Mystal and to place on the Consent Calender.

On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions?

APPROVED and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1403, authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Delia Liz a/k/a Delia Taveras. (COUNTY EXEC)

MS. LONGO:

As•of•right redemption, forty six•sixteen•sixty one.

CHAIRMAN O'LEARY:

Motion to approve by myself, seconded by Legislator Montano and to place on the Consent Calender. On the question of the motion to approve. Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**).

1404, Authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Sandra Lopez. (COUNTY EXEC)

MS. LONGO:

As•of•right redemption, thirteen thousand one•ninety•seventy seven.

CHAIRMAN O'LEARY:

Motion to approve by Legislator Montano, seconded by myself. On the question of the motion to approve and place on the Consent Calender. Hearing none, all those in favor? Opposed? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**).

1410, Sale of County-owned real estate pursuant to Local Law 13 of 1976, Frederick T. Rommeney, Jr. (COUNTY EXEC).

MS. LONGO:

As of right redemption, \$4500.

CHAIRMAN O'LEARY:

That's 1410 •• 1411 is 4500, 1410 is a thousand.

MS. LONGO:

I'm sorry.

CHAIRMAN O'LEARY:

That's okay.

MS. LONGO:

You are right.

CHAIRMAN O'LEARY:

I know that, it's in my notes here. We just want the record to be accurate, that's all. It's Local Law 13.

MS. LONGO:

Local Law 13, as•of•right redemption, \$1000.

MS. KNAPP:

Just so the record is clear. It's a Local law 13, so it's not an as•of•right redemption, it's a sale to •• just so that we have it.

MS. LONGO:

I'm sorry. That's an adjoining owner.

MS. KNAPP:

Thank you.

MS. LONGO:

My notes were wrong.

CHAIRMAN O'LEARY:

Okay. Are we straight now?

MS. LONGO:

Ready.

CHAIRMAN O'LEARY:

You want to start over with 1410.

MS. LONGO:

1410 is sale to an adjoining owner for a thousand dollars.

CHAIRMAN O'LEARY:

Very good. There's a motion to approve by myself, second by Legislator Losquadro to place on the Consent Calender. On the motion? Hearing none, all those in favor? Opposed? Abstentions? 1410 is **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**

1411, Sale of County•owned real estate pursuant to Local Law 13•1976, St. John's the Evangelist Roman Catholic Church. (COUNTY EXEC).

MS. LONGO:

Adjoining owner, 4500.

CHAIRMAN O'LEARY:

Same motion, same second to place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1412, Sale of County•owned real estate pursuant to Local Law 13•1976, Tara Chambers. (COUNTY EXEC).

MS. LONGO:

That's sale to adjoining owner for \$1200.

CHAIRMAN O'LEARY:

This is in the Rocky Point area. Motion to approve by Legislator Losquadro, seconded by myself and place on the Consent Calender. Hearing none, all those in favor? Opposed?All those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1413, authorizing the sale pursuant to Local Law 16•1976, of real property acquired

under Section 46 of the Suffolk County Tax Act Edward M. Nalewajk and Suzanne Nalewajk, his wife. (COUNTY EXEC). This is North Amityville in Babylon Town.

LEG. MYSTAL:

Motion.

CHAIRMAN O'LEARY:

Motion to approve by Legislator Mystal, seconded by Legislator Montano and place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1414, authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act JaJa Homes, Inc. (COUNTY EXEC). This is in the Town of Islip, Bay Shore.

LEG. MONTANO:

Motion.

CHAIRMAN O'LEARY:

Motion to approve by Legislator Montano, seconded by myself and to place on the Consent Calender. On the question of the motion? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0*)**.

1415, authorizing the sale pursuant to Local Law 16•1976, of real property acquired under Section 46 of the Suffolk County Tax Act Richard Rodriguez, executor of the estate of Gloria Rodriguez, a/k/a Gloria L. Rodriguez. (COUNTY EXEC)

This is in the North Bay Shore area. Motion to approve by Legislator Montano, seconded by myself and place on the Consent Calender. On the question of the motion? All in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER. (VOTE:5•0•0•0•0*)**.

1418, Adopting Local Law No. • 2005, a Local Law to expand the Local Preference Law to promote regional businesses. (BINDER)

Motion to table by myself, seconded by Legislator Losquadro. On the question of the motion to table? Hearing none, all those in favor? Opposed? Abstentions? **Tabled. (VOTE:5•0•0•0•0*)**.

1423, consenting to the acquisition of additional land at Mt. Pleasant Road, Town of Smithtown, County of Suffolk, State of New York, by the Roman Catholic Church of St. Patrick at Smithtown for cemetery. (NOWICK)

CHAIRMAN O'LEARY:

Motion to approve by myself, seconded by Legislator Losquadro. On the question of the motion to approve? Hearing none, all those in favor? Opposed? Abstentions? **Approved. (VOTE:5•0**

•0•0*).

1424, Amending the 2005 Capital budget and Program and appropriating funds for replacement of production server for virtual County Clerk's Office. (PRESIDING OFFICER)

CHAIRMAN O'LEARY:

This was submitted by the County Executive on the request of the County Clerk, who I take note of is present here today? Do you wish to speak on this, County Clerk Romaine? No? Okay. Motion to approve by Legislator Losquadro, seconded by Legislator O'Leary. On the question of the motion to approve 1424? Hearing none, all those in favor? Opposed? Abstentions? **Approved. (VOTE:5•0•0•0*).**

1425, authorizing certain technical corrections to Adopted Resolution No. 141•2005. (PRESIDING OFFICER)

CHAIRMAN O'LEARY:

This has to do with some senior citizen clubs in the Town of Brookhaven, just changing the organizational number from 6772 to 6773. Motion to approve by myself, seconded by Legislator Losquadro. On the question of the motion to approve 1425? Can this be placed on the Consent Calender?

MS. KNAPP:

Yes.

CHAIRMAN O'LEARY:

On the question of the motion to approve and place on the Consent Calender? Hearing none, all those in favor? Opposed? Abstentions? **APPROVED** and placed on the **CONSENT CALENDER**.
(VOTE:5•0•0•0*)

1435, establishing a County policy to protect the identity of children in Suffolk County.
(ALDEN).

MR. ZWIRN:

Mr. Chair.

CHAIRMAN O'LEARY:

You already spoke on this.

MR. ZWIRN:

Yeah, but there's somebody from IT who's here who could just •• briefly wants to just mention

the report that IT did on this subject, wants to just make you aware of it. Ray Gontansz is here from IT. If he could just have an opportunity just to speak just for ••

CHAIRMAN O'LEARY:

Speak on what resolution?

MR. ZWIRN:

On 1435.

CHAIRMAN O'LEARY:

1435?

MR. ZWIRN:

Right. In general on the ••

MR. GONTASZ:

Raymond Gontasz, G•o•n•t•a•s•z, project leader, Information Services. Actually I was •• I cannot speak about that resolution, but I can talk about the resolution about removing the Social Security numbers from the Medical ID card that you have and asking the Benefit Fund to remove it from their forms and so forth. And they responded back to us and said they can't do it until the County changes their systems whereby we would eliminate Social Security numbers from our systems, because they have access to our system to verify claims and so forth. So they cannot do it until we do it.

Back in June of 2004, we prepared a document for the Leg responding to a resolution, 1854 •2003, where it was that we review a number of systems removing Social Security numbers from those systems and determining what's the effort to do that, okay? And I think Jacqueline mentioned that should be reviewed first. And, I think, gentlemen, we like to, you know, make additional copies for you again, and then maybe have an in•depth •• another meeting talking about the issues that we address in this response to the resolution.

MR. ZWIRN:

My concern is just to make this report available to members just to remind some of the committee members who were not here back in 2003 that there was some work done on it just so they can get a chance to review it before we go, you know, full speed ahead on the identity theft efforts.

MR. GONTASZ:

From a programatic viewpoint, it can be done. It's extremely expensive, extremely extensive, but it doesn't eliminate Social Security numbers from system. There are any number of agencies that the police have to sponsor to, that the Sheriff has to respond to, that the Health Department, DSS, our own payroll people have to correspond to third•party people with Social Security numbers. They don't want to know anything about employee IDs. If we change our card, it's nice that I put down Losquadro I instead of your Social Security number, but the minute you go to your health care provider and your card says Losquadro I, he send it to VYTRA and VYTRA says what is this, I go by Social Security number. You go to Genovese, same thing is going to happen. God forbid you go to Magellan for your mental health, I mean, they have to modify all their systems also. So it's an intensive •• it can be done, but we have to talk about all the impacts.

CHAIRMAN O'LEARY:

Legislator Losquadro.

LEG. LOSQUADRO:

First of all, I hope there's nothing wrong with my mental health. Seriously.

MR. ZWIRN:

Ask some other members on the board.

LEG. LOSQUADRO:

I've actually been through this with two organizations. First, with the SUNY system when I was student at Stony Brook. When I first began attending there, all of your grades were posted, your Student ID number was your Social Security number. And this lead to huge problems back before identity theft really came to the forefront in the media. I new several of my friends who had fraudulent applications placed for credit cards and wound up going through some very serious problems to get their credit rating restored. And this was back in the early '90s. The entire SUNY system then went to a unique Student ID absent entirely of a Social Security code available to the public.

MR. GONTASZ:

I don't mean to contradict you, but my son just graduated from Binghamton Graduate School, and his ID is his Social Security number.

LEG. LOSQUADRO:

Well, maybe Stony Brook did it and other schools didn't, but Stony Brook is now a unique ID system absent of Social Security. I also went through this when I worked for State Farm Insurance. When we first started, our medical cards, our employee •• all of that was a Social Security number. We were all generating unique employee ID numbers, and nothing then that went out to public then had your Social Security number on it.

Now, we did have internal group medical insurance, so perhaps that made the job somewhat easier for them, because they were generating their own number even within their own health care. But we have EMHP even though it is administered by VYTRA. I would have to think •• this is something that goes on a regular basis and has been going on for some time out in the private sector and in the business community, so I think it's something that needs to be addressed quickly.

Like I said, I know many people who have had experience with this, and it's led to very serious problems with their credit rating. So I would like to see it addressed quickly. I came in at the end of 2003, and now almost two years later, we're still talking about it. So I do understand that these things take a bit of time, but in the technologically advanced society in which we live in, I think this can be moved forward in a much more expeditious manner, and I would like to see it done so.

MR. GONTANSZ:

Okay.

CHAIRMAN O'LEARY:

Any other comments from committee members with respect to this resolution? So, Ben, just to understand what the position of the Administration is, they wish to have a little bit more time to look at the impact of this resolution or the fact that there is a proposal that was put before this body with respect to identity theft some time ago?

MR. ZWIRN:

Exactly.

CHAIRMAN O'LEARY:

Is that a yes?

MR. ZWIRN:

Yes with respect to both comments. We'd like to •• if you can table this resolution at this time so we can just ••

CHAIRMAN O'LEARY:

Well, that begs the question then what, sir, impact would this have •• if we move this bill today, what impact would it have on your proposal with respect to your identity theft situation?

MR. GONTASZ:

If we move this forward, I think we estimated it would take at least 40 weeks to do this with a staff of five people dedicated to doing this. So it's an extensive process, and it's a lengthy one.

CHAIRMAN O'LEARY:

But would not passing or moving this out of committee to the full body expedite that process or will be addressing that particular situation sooner rather than later?

MR. GONTASZ:

Yes, but we still need coordination with VYTRA. Yes, it can be done.

CHAIRMAN O'LEARY:

But that's my point. Would that •• if we move this bill ••

MR. GONTASZ:

Yes, it would.

CHAIRMAN O'LEARY:

Wouldn't that be satisfactory for you as it pertains to your initiative with respect to the identity theft questions?

MR. GONTASZ:

Yes, it would.

CHAIRMAN O'LEARY:

Okay. Any other questions from members of the committee? Thank you. On 1435, is there a motion? What's the preference of the minority members of the committee? I don't mean that how it sounds, it just came out this way.

(* LEGISLATOR KENNEDY ENTERED THE MEETING AT 10:45 A.M. *)

CHAIRMAN O'LEARY:

It just came out that way. I hope you're feeling better, John. I think there's an intent on the part of the sponsor to move this, to get it in the hopper, so to speak, sooner rather than later. There's a motion to approve by Legislator Losquadro, seconded by myself. On the question of the motion to approve? I take note of the fact that Legislator Kennedy, a member of this committee is here now. Welcome, John.

LEG. KENNEDY:

Thank you. Good morning.

CHAIRMAN O'LEARY:

There's a motion to approve, John, on 1435. On the question of this motion? Hearing none, all in favor? Opposed? Abstentions? 1435 is **approved. (VOTE:5•0•0•0).**

That concludes the agenda. We have a request on the part of the County Attorney to go into Executive Session; is that true?

MS. CAPUTI:

Yes.

CHAIRMAN O'LEARY:

Okay. All right. So I'll recess this meeting for the purposes of going to Executive Session in the conference room. I'm sorry. Before we recess, I do have I have a question of BRO. Gail, with respect to IR 1346, which was a technical correction that was approved by committee, I just wanted to clarify for the record, is it just a technical correction as indicated in the resolution or is it changing a capital project to pay•as•you•go funding?

MS. VIZZINI:

As far as I can determine it's a technical correction as far as the number is concerned.

CHAIRMAN O'LEARY:

Okay. Because it wouldn't be a technical correction if it is changing the funding source, correct?

MS. VIZZINI:

It would be a budget amendment.

CHAIRMAN O'LEARY:

Exactly. So that's not the case with respect to 1346?

MS. VIZZINI:

Not as far as I can determine, no.

CHAIRMAN O'LEARY:

All right. Thank you. We stand recessed to go into Executive Session. We'll be back shortly to adjourn. Thank you.

(* AN EXECUTIVE SESSION WAS HELD FROM 10:50 A.M. UNTIL 11:04 A.M. *)

CHAIRMAN O'LEARY:

Okay. We're back from the Executive Session, regular meeting. There has been a request on the part of a tardy Legislator Kennedy to •• I'm sorry. For the record, can you place his vote with the majority?

LEG. KENNEDY:

I appreciate it. Thank you.

CHAIRMAN O'LEARY:

But for the record, we also take note of the fact that he was very, very, very, very, very late. All right. Any other issues before the committee before we adjourn? Hearing none, all those in favor? Opposed? Meeting stands adjourned.

(*THE MEETING WAS ADJOURNED AT 11:04 A.M.*)

*** • Legislator Kennedy requested that his votes be included with the majority.**

_ _ **DENOTES BEING SPELLED PHONETICALLY**